

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>5/22/2020</u>

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CONVERGEN ENERGY LLC, et al,

Plaintiffs,

-v-

STEVEN J. BROOKS, et al.,

Defendants.
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20-cv-3746 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Plaintiffs moved for a temporary restraining order and preliminary injunction on May 19, 2020. *See* Dkt. Nos. 24-26. The Court held a hearing and issued a temporary restraining order that day. *See* Dkt. No. 28. The Court also scheduled a hearing on the preliminary injunction for June 2, 2020.

Plaintiffs have stated their desire to present testimony in support of their motion. The Court is prepared to receive testimony in support of or in opposition to Plaintiffs' motion for a preliminary injunction by declaration and by depositions conducted remotely.

- Declarations in support of or in opposition to the motion shall be exchanged among the parties by Monday, May 25, 2020 at 12:00 p.m.
- Depositions of the declarants, which may include cross-examination and redirect examination to preserve testimony for the hearing, shall be conducted by Tuesday, May 26, 2020 at 11:59 p.m.
- Plaintiffs shall submit a brief in support of their motion (not to exceed 25 pages) by Wednesday, May 27, 2020 at 11:59 p.m. For the convenience of the Court, Plaintiffs shall include with that submission all declarations and deposition transcripts (regardless of whether Plaintiffs will rely on such declarations and deposition transcripts). The brief shall clearly cite to the particular paragraphs or lines of the declarations and deposition transcripts on which Plaintiffs rely.
- Defendants shall submit a brief in opposition of their motion (not to exceed 25 pages) by Friday, May 29, 2020 at 11:59 p.m. The brief shall clearly cite to the particular

paragraphs or lines of the declarations and deposition transcripts on which Defendants rely.

- Plaintiffs may submit a reply brief (not to exceed 10 pages) by Saturday, May 30, 2020 at 11:59 p.m.

The parties shall have their respective declarants and witnesses available for the Court at the preliminary injunction hearing on June 2, 2020, should the Court request their testimony but the parties should assume that the Court will not take any live testimony. The Court will advise at a later date whether the hearing will occur by videoconference or telephone.

Plaintiffs are ordered to notify Defendants of this Order.

SO ORDERED.

Dated: May 22, 2020
New York, New York



LEWIS J. LIMAN
United States District Judge